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Date of Deposit: August 27, 2001

Attorney Docket No. 15966-638CIP (Cura-138CIP)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Gerlach et al.
SERIAL NUMBER: 09/898,586 EXAMINER: Not Yet Assigned
FILING DATE: July 3, 2001 ART UNIT: 1645
FOR: NOVEL POLYPEPTIDES AND NUCLEIC ACIDS ENCODING SAME

BOX MISSING PARTS

Commissioner for Patents and Trademarks
Washington, D.C. 20231

TRANSMITTAL

Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Response to Notice to File Missing Parts (1 pg.);
2. Copy of Notice to File Missing Parts (2 pgs.);
3. Combined Declaration and Power of Attorney (3 pgs.);
4. Check # 10006 for \$65.00;
5. Computer Readable Form (1 disk);
6. Sequence Listing (95 pgs.);
7. Statement in Support of Computer Readable Form (1 pg.);
8. Preliminary Amendment (2 pgs.); and
9. Return Postcard.

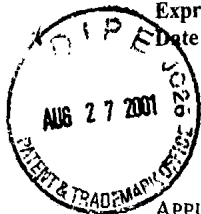
Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Naomi Biswas".

Ivor R. Elrifi (Reg. No. 39,529)
Naomi Biswas (Reg. No. 38,384)
Attorneys for the Applicant
c/o MINTZ, LEVIN
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Boston, Massachusetts 02111
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08-28-01

GP/1645 #7



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Attorney Docket No. 15966-638CIP (Cura-138CIP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

APPLICANTS: Gerlach et al.

AUG 30 2001

SERIAL NUMBER: 09/898,586

EXAMINER: Not Yet Assigned

TECH CENTER 1600/2900

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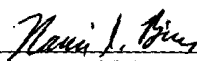
TRANSMITTAL

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement;
2. Modified form 1449 (in duplicate); and
3. Return Postcard.

Although Applicants believe that no additional fees are due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311 (Reference No. 15966-638CIP; Cura-138CIP). A duplicate of this Transmittal is enclosed herewith.

Respectfully submitted,


Ivor R. Elrifi (Reg. No. 39,529)
Naomi Biswas (Reg. No. 38,384)
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Express Mail Label No.: EL83581209US
Date of Deposit: August 27, 2001

Attorney Docket No. 15966-638CIP (Cura-138CIP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Gerlach et al.
SERIAL NUMBER: 09/898,586 EXAMINER: Not Yet Assigned
FILING DATE: July 3, 2001 ART UNIT: 1645
FOR: NOVEL POLYPEPTIDES AND NUCLEIC ACIDS ENCODING SAME


BOX MISSING PARTS
Commissioner for Patents and Trademarks
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to the Notice To File Missing Parts mailed August 3, 2001, Applicants submit herein a copy of the Notice to File Missing Parts, a copy of an executed Combined Declaration and Power of Attorney, payment of the surcharge fee (\$65.00) set forth in 37 C.F.R. §1.16(e), a paper copy of the Sequence Listing, an identical CRF (1 disk), a Statement in Support of Computer Readable Form, a Preliminary Amendment, and a Return Postcard.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Attorney Reference No. 15966-638CIP (Cura-138CIP). Should any questions or issues arise concerning this application, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,


Ivor R. Elrifi (Reg. No. 39,529)
Naomi Biswas (Reg. No. 38,384)
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/898,586	07/03/2001	Valerie L. Gerlach	15966-638 CIP

CONFIRMATION NO. 2872

FORMALITIES LETTER



OC00000006383117

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C.
One Financial Center
Boston, MA 02111

Date Mailed: 08/03/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

*A copy of this notice **MUST** be returned with the reply.*

R. BERNET

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

patin21help@uspto.gov or patin3help@uspto.gov

The following item(s) appear to have been **omitted** from the application:

- Page(s) **152** of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE